

#29  
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04/30/02

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Dated: 4/18/02

Signature:

(Name of Signer)

Docket No.: 27866/32960  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Patrick Gray

Group Art Unit: 1652

Application No.: 08/663,618

Examiner: R. Prouty

Filed: June 14, 1996

For: Chitinase Materials and Methods

RECEIVED  
TECH CENTER 1600/2900  
APR 29 2002

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

#### **Box Missing Parts**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

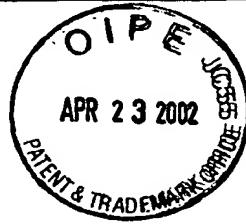
In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed February 27, 2002, Applicant respectfully submits the filing fee of \$1110.00 which includes the filing fee of \$740.00 plus \$240.00 for excess claims and the surcharge of \$130.00 for late submission of the fee.

Dated: April 18, 2002

Respectfully submitted,

By

Thomas J. Wrona, Ph.D.  
Registration No.: 44,410  
Marshall, Gerstein & Borun  
6300 Sears Tower, 233 South Wacker Drive  
Chicago, Illinois 60606  
Tel: 312/474-6300  
ATTORNEYS FOR APPLICANT



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**NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)**

**Filing Date Granted**

The Continued Prosecution Application (CPA) request filed on Feb 14, 02 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

*The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.*

1. The statutory basic filing fee is:  
 missing.  
 insufficient.

Docketed: AJ27102

(a) Applicant must submit \$ 710.00 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

2. Additional claim fees of  
 \$ 240 (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ independent claims over 3.  
 \$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ claims over 20.  
 \$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.  
 5. Other: \_\_\_\_\_

**A copy of this Notice MUST be returned with the reply.**

Direct the reply and any questions about this Notice to:

John M. Burns

Examining Group 1600

04/26/2002 GTEFFERA 00000045 08663618

(703) 306 - 0435

|           |           |
|-----------|-----------|
| 01 FC:131 | 740.00 OP |
| 02 FC:105 | 130.00 OP |
| 03 FC:103 | 72.00 OP  |
| 04 FC:102 | 168.00 OP |

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OIPA  
APR 23 2002

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1110.00)

## Complete if Known

|                      |               |
|----------------------|---------------|
| Application Number   | 08/663,618    |
| Filing Date          | June 14, 1996 |
| First Named Inventor | Patrick Gray  |
| Examiner Name        | R. Prouty     |
| Group Art Unit       | 1652          |
| Attorney Docket No.  | 27866/32960   |

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account

Deposit Account Number **13-2855**

Deposit Account Name

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee(s) during the pendency of this application

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code     | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|--------------|----------|----------|----------|------------------------|----------|
| 101          | 740      | 201      | 370      | Utility filing fee     | 740.00   |
| 106          | 330      | 206      | 165      | Design filing fee      |          |
| 107          | 510      | 207      | 255      | Plant filing fee       |          |
| 108          | 740      | 208      | 370      | Reissue filing fee     |          |
| 114          | 160      | 214      | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          | (\$)     |          | SUBTOTAL (1)           | 740.00   |

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | - ** =  | Extra Claims | Fee from below | Fee Paid |
|--------------------|---------|--------------|----------------|----------|
| <b></b>            | <b></b> | <b></b>      | <b></b>        | <b></b>  |
| Independent Claims | - ** =  | <b></b>      | <b></b>        | <b></b>  |
| Multiple Dependent | - ** =  | <b></b>      | <b></b>        | <b></b>  |

Large Entity Small Entity

| Fee Code     | Fee (\$) | Fee Code | Fee (\$) | Fee Description  |
|--------------|----------|----------|----------|--|
| 103          | 18       | 203      | 9        | Claims in excess of 20                                     |
| 102          | 84       | 202      | 42       | Independent claims in excess of 3                          |
| 104          | 280      | 204      | 140      | Multiple dependent claim, if not paid                      |
| 109          | 84       | 209      | 42       | ** Reissue independent claims over original patent         |
| 110          | 18       | 210      | 9        | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) |          | (\$)     |          | SUBTOTAL (2) (\$ 240.00)                                   |

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity Fee Code             | Small Entity Fee Code | Fee (\$) | Fee (\$) | Fee Description  | Fee Paid |
|-----------------------------------|-----------------------|----------|----------|--|----------|
| 105                               | 130                   | 205      | 65       | Surcharge – late filing fee or oath  | 130.00   |
| 127                               | 50                    | 227      | 25       | Surcharge – late provisional filing fee or cover sheet                     |          |
| 139                               | 130                   | 139      | 130      | Non-English specification  |          |
| 147                               | 2,520                 | 147      | 2,520    | For filing a request for ex parte reexamination                            |          |
| 112                               | 920*                  | 112      | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113                               | 1,840*                | 113      | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115                               | 110                   | 215      | 55       | Extension for reply within first month                                     |          |
| 116                               | 400                   | 216      | 200      | Extension for reply within second month                                    |          |
| 117                               | 920                   | 217      | 460      | Extension for reply within third month                                     |          |
| 118                               | 1,440                 | 218      | 720      | Extension for reply within fourth month                                    |          |
| 128                               | 1,960                 | 228      | 980      | Extension for reply within fifth month                                     |          |
| 119                               | 320                   | 219      | 160      | Notice of Appeal   |          |
| 120                               | 320                   | 220      | 160      | Filing a brief in support of an appeal                                     |          |
| 121                               | 280                   | 221      | 140      | Request for oral hearing   |          |
| 138                               | 1,510                 | 138      | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                               | 110                   | 240      | 55       | Petition to revive – unavoidable   |          |
| 141                               | 1,280                 | 241      | 640      | Petition to revive - unintentional   |          |
| 142                               | 1,280                 | 242      | 640      | Utility issue fee (or reissue)   |          |
| 143                               | 460                   | 243      | 230      | Design issue fee   |          |
| 144                               | 620                   | 244      | 310      | Plant issue fee  |          |
| 122                               | 130                   | 122      | 130      | Petitions to the Commissioner  |          |
| 123                               | 50                    | 123      | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126                               | 180                   | 126      | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581                               | 40                    | 581      | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146                               | 740                   | 246      | 370      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149                               | 740                   | 249      | 370      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179                               | 740                   | 279      | 370      | Request for Continued Examination (RCE)                                    |          |
| 169                               | 900                   | 169      | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify)               |                       | -----    |          | -----  |          |
| *Reduced by Basic Filing Fee Paid |                       | -----    |          | SUBTOTAL (3) (\$ 130.00)   |          |

SUBMITTED BY

Complete (if applicable)

|                   |                        |                                   |        |           |                |
|-------------------|------------------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Thomas J. Wrona, Ph.D. | Registration No. (Attorney/Agent) | 44,410 | Telephone | 312/474-6300   |
| Signature         |                        |                                   |        | Date      | April 18, 2002 |

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APR 29 2002

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TECH CENTER 1600/2900

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

|  |   |                      |               |
|--|---|----------------------|---------------|
| Total Number of Pages in This Submission | 4 | Application Number   | 08/663,618    |
|  |   | Filing Date          | June 14, 1996 |
|  |   | First Named Inventor | Patrick Gray  |
|  |   | Group Art Unit       | R. Prouty     |
|  |   | Examiner Name        | 1652          |

## ENCLOSURES (check all that apply)

|  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                   | <input type="checkbox"/> Assignment Papers<br>(for an Application)                         | <input type="checkbox"/> After Allowance Communication<br>to Group                            |
| <input checked="" type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of<br>Appeals and Interferences        |
| <input type="checkbox"/> Amendment/Reply   | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Petition to Convert to a Provisional<br>Application               | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request   | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s)<br>(please identify below)                        |
| <input type="checkbox"/> Express Abandonment Request                                       | <input type="checkbox"/> Terminal Disclaimer   |   |
| <input type="checkbox"/> Information Disclosure Statement                                  | <input type="checkbox"/> Request for Refund  |   |
| <input type="checkbox"/> Certified Copy of Priority<br>Document(s)                         | <input type="checkbox"/> CD, Number of CD(s) _____   |   |
| <input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application              |  |   |
| <input checked="" type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 |  |   |
|  | Remarks  |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                               |   |
|-------------------------------|---|
| Firm<br>or<br>Individual Name | MARSHALL, GERSTEIN & BORUN<br>6300 SEARS TOWER, 233 SOUTH WACKER DRIVE, CHICAGO, IL 60606<br>THOMAS W. WRONA, PH.D. |
| Signature                     |   |
| Date                          | APRIL 18, 2002  |

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Dated: 4/18/02

Signature:

(Name of Signer)